

nor can doe and this he is ready to averre and thereupon he demands judgment if the said Thomas his action aforesaid against him Ought to have. &c. Liber M M

And the Said Thomas Saith that the plea of him the Said Cornelius by him in forme aforesaid pleaded that that plea & the matter therein contained are not sufficient in Law to hinder the said Thomas from haveing his action aforesaid against the said Cornelius and that that plea in manner & forme aforesaid pleaded the said Thomas needeth not nor by the Law of the Land is bound to answer and this he is ready to averre wherefore for want of a Sufficient plea the Said Thomas demands judgment and according to the forme of the Statute for Demurrers Sheweth these causes following first that the plea of the Said Cornelius hath relation to the sale of a certaine parcell of Land of which no mention is made in the said writinge Obligatory.

Secondly The Said writinge Obligatory is Only for two thousand foure hundred pounds of tobacco debt due from the Said Cornelius to him the said Thomas without any consideration and for the payment thereof hath bound himselfe his heirs executors adm^{rs} & assigns and there is no condition in the said writing Obligatory whereby the said Cornelius the plea aforesaid can mainteine Thirdly in the Said plea it is Said that the Said Thomas upon the said foure and twentieth day of August in the yeare aforesaid did covenant & agree to deliver unto the said Cornelius good and lawfull conveyances from the Said Thomas and his wife for the said parcell of land by which it manifestly appeares that the Said Cornelius is releivable by his action of Covenant or Other action by him to be commenced against the said Thomas and not by pleading that plea in barre as aforesaid.

Which being read and heard and by his Lopps justices here to witt at the City of St Maries the fifteenth day of ffebruary in the 43th yeare of his Lopps Dominion &c fully understood It is considered of by the Court here that the said Thomas Warner recover against the said Cornelius the said summe of two thousand foure hundred pounds of tobacco the debt aforesaid as also the summe of five hundred & eighty pounds of tobacco for his costs and charges in this behalfe laid Out and expended. and the said Cornelius in mercy.

Garret Vansweringen ag ^t William Baker	}	William Baker late of St Maries County otherwise called W ^m Baker of the County of St Maries in the Province of Maryland was Summoned to answer unto Garret Vansweringen in a plea that he render unto him the summe of two thousand Seven hundred and ninty pounds of tobacco which to him he oweth and unjustly deteineth
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